Statement of Judy Brewer
Before the House Select Committee on Modernization of Congress
Hearing on Making the House More Accessible to the Disability Community
Thursday, May 27, 2021

To the Honorable Chair Kilmer, Vice-Chair Timmons, and Members of the Committee:

Thank you for this opportunity to speak with you about the importance of digital accessibility in modernizing Congress.

My name is Judy Brewer. I direct the Web Accessibility Initiative (known as "WAI") at the World Wide Web Consortium (W3C), which is the international standards body for the Web. We are headquartered at the Massachusetts Institute of Technology, where I'm a Principal Research Scientist. I have been working on accessibility for over three decades, as a technology expert as well as a person with a disability.

Digital accessibility is the design of technologies (including products, services, and environments) so that people with disabilities can use them – along with everyone else – whether their disabilities are auditory, cognitive, neurological, physical, speech or visual. Designing for accessibility improves how technology works for the over 20% of the U.S. population with disabilities. It is a prolific driver of innovation for all.

The scope and impact of digital accessibility is broad:

1. Digital accessibility is what enables constituents who are blind to find and comment on legislation you're developing, if your congressional website is accessible.
2. Digital accessibility is what enables a staff member who is stressed, or distracted, to smoothly navigate to a secure and private telehealth session.
3. Digital accessibility is what enables a congressperson who might be a bit hard of hearing to follow witness' testimony via streaming captions in a video-conference.
4. Digital accessibility is what could allow students who are deaf, or who have low vision, or difficulty with hand coordination, to take the virtual tour of the US Capitol that's on the Congressional website along with their classmates, then discuss their shared experience.
5. Digital accessibility is what can enable a veteran working a security detail, who has a prosthetic hand with capacitive touch sensing, to use the apps on her work-issued mobile phone.

Accessible technology has become part of the public environment that people with disabilities count on, thanks to the 30-year old Americans with Disabilities Act (ADA), which enables us to participate in and contribute to society on an equal basis with others. The public now expects accessibility when visiting their representatives online; also, those who serve the public in a congressional setting likewise require accessibility to do their jobs.

Digital accessibility is extremely timely for congressional attention, given that the COVID pandemic has accelerated society's move from physical to virtual. But COVID has at the same

time put the digital disability divide into sharp relief, along with racial, gender and economic digital divides. Accessibility, though so often overlooked, is an essential part of achieving diversity, equity, and inclusion in a modern Congress.

The good news is that we know how to make the digital technologies that Congress uses accessible. In 2000, I described early efforts on web accessibility to the Subcommittee on the Constitution under House Judiciary. In 2010, I described the progress we had achieved on consensus standards for accessibility, and the impact that these standards were already having. The scenarios I described today are not only achievable, but are happening around the country, and the world.

It's possible that the process of making digital technologies accessible might seem daunting, especially in a decentralized environment such as Congress. However, decentralization of information technology management is common to many large organizations, and it is an addressable issue. The public and staff need a centralized assurance of accessibility; it can help to develop a centralized policy and centralized resources to meet this obligation, even if the bulk of content production remains decentralized.

The accepted worldwide standard of reference for web accessibility is the Web Content Accessibility Guidelines (WCAG). These guidelines also set a foundation for accessibility of other technologies, including mobile, publishing, web of things, and more.

WCAG is developed by the Web Accessibility Initiative at W3C, with extensive contributions from industry, research, people with disabilities and government. WCAG has been incorporated by reference into Section 508 of the Rehabilitation Act as amended by the Workforce Investment Act. It is also the digital accessibility standard most often cited for conforming to the ADA, and is the standard referenced by other US agencies. It is endorsed by the International Standards Organization (ISO), and has been taken up in over 40 countries around the world.

With the help of a broad international community of accessibility experts, WAI also develops an authoritative library of educational, explanatory and technical materials for implementing WCAG 2. These are also freely available from the W3C WAI website. We expand and update these resources as digital technologies advance.

This work is supported in part by the National Institute on Disability, Independent Living, Rehabilitation and Research at the Department of Health and Human Services; the European Commission; the Ford Foundation; WAI Sponsors; and W3C Member organizations. My remarks today are my own, and do not necessarily reflect the views of WAI's funders.

Additionally, a vibrant and extensive business sector has evolved to address the need for development and evaluation of accessible digital technologies. This includes many small, medium and large organizations providing services for specific aspects of accessibility, such as content design, document remediation, and evaluation of websites as well as mobile applications.

I would like to speak to the types of practical and operational issues that can come up in large organizations. Implementing accessibility requires a comprehensive and methodical approach; there is no silver bullet. The 116th resolution on modernizing Congress called for evaluation of

all House websites and apps to determine their level of accessibility. This is an essential first step; one needs to know where the barriers are, to be able to prioritize and plan how to address them.

However it is also important to plan for additional steps, using a project management approach, and to include steps such as building awareness, setting a clear policy, selecting authoring tools that support production of accessible content, and ongoing monitoring.

Here are a few examples of the types of issues that can arise, and, very briefly, some approaches to address these:

- Documents: It is important that all documents are produced and delivered in accessible formats. The digital publishing community, which has joined with W3C, calls this "born accessible," and it is an effective and achievable approach. Please note though that for legacy documents that are in formats that are still not accessible, these may need a significant remediation effort, to convert these to accessible formats.
- Front end and back office: While the need for accessibility in the public-facing aspects of Congress may be most obvious, some congressional staff, in any and all roles, likely have disabilities as well, and congressional offices need to be prepared for this. It is therefore important that the tools for producing documents should be usable by people with disabilities. Fortunately, we also have guidelines that address this.
- Authoring Tool Accessibility Guidelines: Many types of software applications are used in creating, producing and publishing online content, ranging from content management systems (CMS), to image editors, to social media tools. Tools that conform to the Authoring Tool Accessibility Guidelines (ATAG) 2.0 can help achieve digital accessibility in two ways: by ensuring that the user interface of authoring tools is accessible to people with disabilities, and by helping support more efficient creation and production of accessible content, thereby reducing future effort and cost for retrofitting and remediation.
- Web sites: It is also important to consider accessibility awareness in non-technical roles. Once you have accessible template and business process for developing and updating congressional websites and applications, it is important to ensure that staff writers are aware of writing approaches that will result in more understandable and accessible information for these sites. WAI's resources in this area include, for instance, tips for non-technical content writers.
- Procurement practices: As you know, Section 508 of the Workforce Investment Act takes a different approach to accessibility of information technology than does the Americans with Disabilities Act, and it is an approach that is particularly helpful for ensuring that vendors understand and can deliver ICT products and services that help ensure digital accessibility. Both the General Services Administration and the US Access Board have resources that are relevant to the procurement process for accessible technologies.

Finally, I want to draw your attention back to the circumstances that are causing us to have a virtual, rather than in-person, hearing today. The impact of the pandemic over the past year has been horrific, and it has hit many communities especially hard, including racial and cultural

communities. It has likewise hit the community of people with disabilities in a devastating and lethal way, even in so far as troubling quality-of-life assumptions or questions during initial resource-scarce circumstances. It is therefore more important than ever that people with disabilities have equal opportunity to comment into the public processes that impact our lives.

This is where the digital accessibility as an innovation driver holds such promise. We all, as a country, had to pivot to virtual modes with little notice or preparation; yet people with disabilities had to pivot in especially difficult ways. Over time, we are seeing progress through rapid innovation driven by necessity. This has included improved support for streaming captions and interpreters in virtual meetings, in online education, telehealth sessions, complex professional conferences, and more. Interoperability problems between assistive technologies such as screen readers and virtual environments are getting addressed; as are important simplifications of virtual meeting navigation and controls, though there is much left to do in all these areas. But these innovations have a carry-over benefits to all users of virtual environments.

Thinking beyond our current virtual mode, people with disabilities are now, understandably, not wanting to lose the virtual access that we have gained during this difficult time period. From many parts of the disability community, I am hearing a chorus of people saying that they want to maintain the virtual access that has opened new doors, through accessible hybrid meeting options – combined virtual and in-person events – in the future.

WAI is developing best practices to address accessibility of virtual, as well as hybrid, events. Though this work is still in the early stages, I expect that it may be relevant for future guidelines.

Given its obligation to provide an accessible public forum, I encourage Congress to engage in and if possible to contribute to this emerging important area of accessibility.

It is heartening to learn of interest in digital accessibility by the bipartisan Select Committee on Modernization. Thank you very much for your time. I look forward to any questions you may have.